

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

CELLULAR COMMUNICATIONS  
EQUIPMENT LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
ET AL.,

Defendants.

Civil Action No. 6:14-cv-759-KNM

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**JOINT CLAIM CONSTRUCTION CHART PURSUANT TO P.R. 4-5(d)**

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Pursuant to P.R. 4-5(d) and the Court's Docket Control Orders (as amended), Plaintiff and Defendants (collectively, the "Parties") jointly file the Claim Construction Chart attached hereto as Exhibit A addressing terms for construction in this case.

The Parties also present their respective proposed constructions for the following disputed terms that the Court previously construed to place the parties' proposed constructions in the record. As set forth in the parties' Joint Claim Construction and Prehearing Statement (Dkt 107), the Parties agree that the Court's prior constructions of these terms will govern in this case and that the claim construction record from *Cellular Communications Equipment LLC, v. HTC Corp., et al.*, Case No. 6:13-cv-507 (the "First CCE Case") is incorporated by reference into this case and that the parties may rely on that record for purposes of appeal.

<b>Claim Term</b>	<b>Plaintiff's Proposed Construction</b>	<b>Defendants Proposed Construction</b>	<b>Court's Prior Construction</b>
"usage" ('820 patent, cl. 1, 12, 24)	Plain and ordinary meaning; no construction necessary.	"an act, way, or manner of using"	Plain meaning  Memorandum Opinion and Order dated Jun. 1, 2015, Dkt. 413, Case No. 6:13-cv-507
"at a start of a message transmission" ('174 patent, cl. 1, 9, 17, 18)	Not indefinite.	This term is indefinite under 35 U.S.C. § 112, ¶ 2.	The phrase "at a start of a message transmission using a first one of the codes" modifies "a total transmit power of the subscriber station for the codes."  Not indefinite.  Memorandum Opinion and Order dated Mar. 9, 2015, Dkt. 363, Case No. 6:13-cv-507
"at a start of a message transmission using a first one of the codes" ('174 patent, cl. 1, 9, 17, 18)	Not indefinite.	This term is indefinite under 35 U.S.C. § 112, ¶ 2.	The phrase "at a start of a message transmission using a first one of the codes" modifies "a total transmit power of the subscriber station for the codes."  Not indefinite.  Memorandum Opinion and Order dated Mar. 9, 2015, Dkt. 363, Case No. 6:13-cv-507

“a transmit power difference which is to be maintained” (’174 patent, cl. 1, 17, 18) / “maintaining a previously determined transmit power different” (’174 patent, cl. 9)	Plain and ordinary meaning; no construction necessary.	“an unused transmit power that is required to exist” / “a previously determined unused transmit power that is required to exist”	Plain meaning  Memorandum Opinion and Order dated Mar. 9, 2015, Dkt. 363, Case No. 6:13-cv-507
“a message of the messages” (’8923 patent, cl. 1, 24)	Plain and ordinary meaning; no construction necessary.	“one or more, but less than all, of the messages”	“one or more, but less than all, of the messages”  Memorandum Opinion and Order dated Jun. 1, 2015, Dkt. 413, Case No. 6:13-cv-507
“tamper resistant” (’8923 patent, cl. 26)	Plain and ordinary meaning; no construction necessary.	“resistant to being affected by a user or other parties that are beyond the control of the network operator”	Plain meaning  Memorandum Opinion and Order dated Jun. 1, 2015, Dkt. 413, Case No. 6:13-cv-507
“a diverting unit configured to divert a message of the messages sent from the application program and destined for the communication network” (’8923 patent, cl. 24)	Plain and ordinary meaning; no construction necessary.	“a diverting unit configured to redirect a message of the messages sent from the application program and destined for the communication network from the path it would have taken if not redirected on to an alternate path”	Plain meaning  Memorandum Opinion and Order dated Mar. 9, 2015, Dkt. 363, Case No. 6:13-cv-507

DATED: November 20, 2015

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of November, 2015, I electronically filed the foregoing document with the clerk of the Court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the Court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Brian E. Mack